IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Bail Appl..No. 4855 of 2007()

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CRIME NO.472/2006 OF FORT POLICE STATION

PETITIONER/4TH ACCUSED

RENJITH, AGED 22, S/O. GOPALAN,
SREERENJINI, VALIYASALA, KOCHUTHERUVU,
THYCAUD VILLAGE, THIRUVANANTHAPURAM.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4855 of 2007

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Dated this the 10th day of August, 2007

ORDER

Application for regular bail. Petitioner, 4th accused faces allegations inter alia under Sec.302 and 307 IPC. The alleged incident took place on 19.10.06. The petitioner was arrested on 10.07.07 and he continues in custody from that date.

2. The crux of the allegations is that on account of animosity arising from an earlier incident near the scene of the crime between the first accused and co-workers, the 1st accused came back with others including the petitioner and constituted an unlawful assembly . The members of the said assembly allegedly attacked the defacto complainant and his co-workers and inflicted injuries to them. The petitioner is the 4th accused. Altogether there are nine accused persons. It is alleged that the petitioner had wielded a dangerous weapon-sword. Investigation is in progress.

3. The learned counsel for the petitioner submits that the petitioner is absolutely innocent and prays that he may now be enlarged on bail,. Some of the co-accused were arrested and released on bail, learned counsel for the petitioner submits. The learned Public Prosecutor opposes the application. The allegations are serious, it is

submitted. The co-accused have been released on bail after a long period of detention. In a serious crime like this the investigator may be given some further time to complete the investigation.

4. Having considered all the relevant inputs I find merit in the opposition by the learned Public Prosecutor. I am of the opinion that it is too early to consider the prayer of the petitioner to be released on bail. Investigator is certainly entitled to further time to complete the investigation.

5. In the result, this petition is dismissed. However, I may hasten to observe that the petitioners shall be at liberty to move this court or the Sessions court for bail again at a later stage of the investigation not, at any rate, prior to 24/08/2007. The police shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj